

**From:** Keener, Bill  
**Sent:** Tuesday, March 31, 2015 1:31 PM  
**To:** Hanf, Lisa; Zito, Kelly  
**Subject:** RE: FYI Only: NYT and BDCP

No..it was this one, below...but the one you sent is interesting, too.

### [EPA finally steps in to look at the Redwood City salt ponds](#)

**San Francisco Chronicle**, March 28, 2015

One of the biggest and most contentious development projects in the Bay Area — a massive housing plan in Redwood City, right on the bay — has been in limbo for years. The U.S. Environmental Protection Agency just ensured that the limbo is going to last quite a bit longer.

Cargill, a food and agricultural products company, owns the site — more than 1,400 acres that it's been using for industrial salt production. It's been working with DMB Associates, an Arizona-based developer, to secure development permission for more than six years. Originally their plan was to develop a community of some 12,000 homes; they've scaled that back in the face of serious political and environmental opposition.

The new plan has fewer homes, develops less acreage, and still comes with plenty of community amenities (wetland restoration, parks, hiking trails) to make it more palatable to development-averse Bay Area residents.

But the continued resistance they're meeting from Bay Area lawmakers, environmental groups, and now, the EPA — which just announced that it'll scrutinize the site to see if it should be afforded protection under the Clean Water Act — reflects a hard truth.

This simply isn't a good site for housing development.

**The EPA was at pains to tell us that it won't be making that determination. "Our job is not to determine land use or zoning," said Jared Blumenfeld, the local regional administrator for the EPA. "Our job is to come up with a scientifically based determination about the proper use of these waters."**

Fair enough. But if the EPA determines that any of the property on the site falls under the protection of the Clean Water Act, that means the project will likely need special permits.

That's more review, more delay, and more possibility for an ultimate denial.

**Nor will the EPA process itself be easy — "We really wanted to make sure that this was done right, it's a big site," Blumenfeld said. "We want to make sure that there's legal and scientific evidence for the public to see. And it has to withstand legal scrutiny."**

The development group is understandably frustrated. This project has been in the works for years, and the feedback they need to proceed has been slow to arrive and confusing to sort out.

"We simply want an answer," said David Smith, an Oakland attorney who represents the project. "The process is supposed to take 60 days. It's going on three years now."

The corps and the EPA have been at odds over which agency has jurisdiction over the site. The two agencies haven't been completely transparent with either the developers or the public about what's been going on with their reviews. There are

politics involved — Rep. Jackie Speier, D-Hillsborough, sent a letter (also signed by the members of the Bay Area congressional delegation) last month expressing concern over who has the final jurisdiction over the project.

It's tough to look at this mess and not see some of the same problems — agonizing delays, public resistance, endless environmental reviews — that have unnecessarily plagued Bay Area housing development for decades.

But while the process should've been clearer and smoother, it doesn't change the facts on the ground.

The site is a tidal plain. It's located at sea level. It would require levees during a time of climate change.

Developing the site would likely require infill or dredging in a delicate ecosystem that fronts the bay. The Bay Area has overwhelmingly moved away from doing development that disturbs the bay's ecological needs — and just in time. Some 90 percent of the Bay's historic tidal wetlands were lost during the 20th century.

Instead, local governments are trying to shift development to central cities and near transit corridors. It's healthier for the environment and for economic growth.

We could go on and on. The point is this: the site's review process is taking an unfortunately long time, but that's because the site isn't right.

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**From:** Hanf, Lisa  
**Sent:** Tuesday, March 31, 2015 1:11 PM  
**To:** Keener, Bill; Zito, Kelly  
**Subject:** FW: FYI Only: NYT and BDCP

FYI. Not sure if this was the op ed that you mentioned at yesterday's 9:30. See highlight.

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**From:** Skophammer, Stephanie  
**Sent:** Tuesday, March 31, 2015 12:07 PM  
**To:** R9-ENF-4-2  
**Cc:** Hanf, Lisa; Hagler, Tom  
**Subject:** FYI Only: NYT and BDCP

The New York Times linked to our NEPA letter

<http://www.nytimes.com/2015/03/29/opinion/sunday/preparing-for-tomorrows-storms.html?smprod=nytcore-ipad&smid=nytcore-ipad-share&r=0>

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# Preparing for Tomorrow's Storms

By [THE EDITORIAL BOARD](#) MARCH 28, 2015

Californians are understandably focused on the state's severe drought, now [in its fourth year](#). But drought is not the only environmental risk the state's residents face.

Twenty-five million Californians get their drinking water from the San Francisco Bay Delta watershed, which covers more than 75,000 square miles and stretches from the Cascade Mountains in Northern California to the Tehachapis in the southern part of the state.

Rain and snowmelt in the watershed (down significantly this year because of the drought) eventually flow to the Pacific Ocean through San Francisco Bay. Along the way, that fresh water is protected from saltwater by a patchwork of levees. If those levees are breached in a storm or an earthquake, millions living in the area will be without safe drinking water.

Experts have been worried about a breach for decades, and sea level rise associated with climate change would only exacerbate the existing risks to California's water.

Gov. Jerry Brown has proposed a plan to build tunnels to carry water through the delta region, a system he says would better protect the water supply from contamination. A [drought relief bill](#) just passed by the California Legislature, and signed by Governor Brown on Friday, would also include \$660 million for flood control projects, including the repair of levees with known problems.

Photo



Folsom Lake in California. Credit Ken James/Bloomberg News, via Getty Images

The \$14.5 billion tunnel plan has encountered significant criticism, both [from the Environmental Protection Agency](#) and from environmental groups in California, [which are concerned](#) that the project would greatly increase the amount of water drawn from the delta area because of the high capacity of the tunnels. This increase, they fear, would endanger fish and other wildlife.

Opponents of Governor Brown's plan say the state should invest in projects to increase water efficiency and decrease reliance on water from the delta. Some have proposed a smaller tunnel project. Meanwhile, state officials are revising the tunnel plan and intend to recirculate it for public comment this spring.

Even when revised, the plan will most likely face significant opposition. But at least California's leaders are thinking about these issues.

In the coming years, climate change is likely to render every part of the country more vulnerable to environmental disasters. In some states, planning for these disasters is hampered by politicians who deny the very existence of changes in the climate. In Florida, another state threatened by sea level rise and extreme storms, [officials say](#) they were told not even to use the term "climate change."

Even when there's recognition of a gigantic problem — as with California's aging levees — the cost of infrastructure improvements coupled with bureaucratic inertia means it's always simpler to put off measures that might avert future calamities. And so it's easier to take the gamble that the catastrophe won't happen, the storm won't roll in, the flood won't come, even though ever more scientific evidence says it will.

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